

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Scott Sales, on March 31, 2015 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Scott Sales, Chair (R)
Sen. Robyn Driscoll (D)
Sen. Jedediah Hinkle (R)
Sen. Douglas (Doug) Kary (R)
Sen. Cliff Larsen (D)
Sen. Mary McNally (D)
Sen. Mary Sheehy Moe (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)

Members Excused: Sen. Jennifer Fielder, Vice Chair (R)
Sen. Kris Hansen (R)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 89, 3/12/2015
Executive Action: HB 378-Be Concurred In, HB 587-Be Concurred In, HB 477-
Tabled, HB 89-Be Concurred In, Motion Withdrawn, further
discussion needed

HEARING ON HB 89**Opening Statement by Sponsor:**

00:00:39 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 89, Generally revise human trafficking laws.

Proponents' Testimony:

00:07:41 Tim Fox, attorney general, Department of Justice (DOJ)

00:14:42 Mary Cochenour, assistant attorney general, Prosecution Services Bureau, Department of Justice (DOJ)

00:19:17 Guy Baker, detective, Missoula Police Department (MPD); also for Montana Regional Violent Crime Task Force

EXHIBIT(jus67a01)

00:24:39 Diane Yarus, Soroptomists International, Kalispell

EXHIBIT(jus67a02)

00:31:11 Mark Murphy, Montana County Attorneys Association (MCCA); Montana Chiefs of Police (MCOP); Montana Police Protective Association (MPPA)

00:32:10 Katharina Werner, director, domestic and sexual violence program, YMCA, Missoula; also chairperson, Missoula Anti-Human Trafficking Task Force

EXHIBIT(jus67a03)

00:37:00 Stephanie Anderson, self; also for Traffic Refuge Safe House

00:41:29 Sarah Corbally, administrator, Child and Family Division, Department of Public Health and Human Services (DPHHS)

00:42:26 Patricia Freeland, director, Traffic Refuge Safe House

00:44:42 Richard Freeland, director, Traffic Refuge Safe House

EXHIBIT(jus67a04)

00:47:24 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

00:48:49 Aimee Grmoljez, Billings Clinic

00:49:36 Matt Brower, executive director, Montana Catholic Conference (MCC)

EXHIBIT(jus67a05)

00:52:31 Spook Stang, executive vice president, Motor Carriers of Montana (MCM)

00:53:15 Jessica Marks, executive director, Refuge Center Online

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:55:02 Sen. Moe
00:55:32 Ms. Cochenour, DOJ
00:56:49 Sen. Moe
00:57:16 Rep. Dudik
00:58:59 Jon Bennion, assistant attorney general, Department of Justice (DOJ)
01:00:20 Sen. Moe
01:00:41 Mr. Baker, MPD
01:01:25 Sen. Sands
01:01:48 Mr. Baker
01:02:31 Sen. Sands
01:03:19 Mr. Murphy, MCCO; MCOP; MPPA
01:07:19 Sen. Sands
01:07:22 Ms. Anderson, self

Closing by Sponsor:

01:08:33 Rep. Dudik
01:10:07 Recess
01:25:41 Reconvene

EXECUTIVE ACTION ON HB 378

01:27:02 **Motion:** Sen. Swandal moved that **HB 378 BE CONCURRED IN.**

01:27:58 **Motion:** Sen. Swandal moved that **HB 378 BE AMENDED.**
[EXHIBIT\(jus67a06\)](#)

Discussion:

01:28:16 Chairman Sales
01:29:24 Sen. Driscoll
01:29:43 Chairman Sales
01:30:02 Julianne Burkhardt, Legislative Services Division (LSD)
01:30:08 Sen. Kary
01:30:27 Chairman Sales

01:30:36 **Vote:** Motion failed 5-7 by roll call vote with Sen. Fielder, Sen. Hansen, Sen. Hinkle, Sen. Sales and Sen. Vincent voting aye. Sen. Fielder, Sen. Hansen and Sen. Vincent voted by proxy.

01:31:27 **Vote:** Motion carried 7-5 by roll call vote with Sen. Fielder, Sen. Hansen, Sen. Hinkle, Sen. Sales and Sen. Vincent voting no. Sen. Fielder, Sen. Hansen and Sen. Vincent voted by proxy. Sen. Kary will carry the bill.

EXECUTIVE ACTION ON HB 477

01:32:33 **Motion:** Sen. McNally moved that **HB 477 BE CONCURRED IN.**

Discussion:

01:32:42 Sen. Sands
01:33:13 Sen. Hinkle
01:34:26 Sen. Larsen
01:35:14 Sen. McNally
01:36:52 Sen. Kary
01:37:49 Sen. Hinkle
01:39:30 Sen. Larsen
01:40:43 Sen.Sands

01:42:10 **Vote:** Motion failed 5-7 by roll call vote with Sen. Fielder, Sen. Hansen, Sen. Hinkle, Sen. Kary and Sen. Sales voting aye. Sen. Fielder, Sen. Hansen and Sen. Vincent voted by proxy. Without objection, Chairman Sales reversed the vote and tabled the bill.

EXECUTIVE ACTION ON HB 587

01:43:12 **Motion:** Sen. Hinkle moved that **HB 587 BE CONCURRED IN.**

Discussion:

01:43:33 Sen. Sands
01:43:56 Sen. Hinkle

01:44:43 **Vote:** Motion carried 7-5 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting no. Sen. Fielder, Sen. Hansen and Sen. Vincent voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 89

01:45:41 **Motion:** Sen. Swandal moved that **HB 89 BE CONCURRED IN.**

Discussion:

01:45:43 Sen. Sands
01:46:54 Sen. Swandal
01:47:42 Sen. Sands
01:48:04 Chairman Sales
01:48:21 Sen. Swandal
01:48:57 Chairman Sales
01:49:11 Sen. Sands
01:49:35 Sen. Hinkle
01:50:05 Sen. Sands
01:51:18 Sen. Larsen
01:52:00 Without objection, Sen. Swandal withdrew his motion.

Discussion:

01:52:32 Sen. Swandal

ADJOURNMENT

Adjournment: 10:53 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus67aad.pdf](#))